

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

CHRISTIAN ALBERTO SANTOS GARCIA,
et al.,

Plaintiffs,

v.

CHAD F. WOLF, *et al.*,

Defendants.

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No. 1:20-cv-821-LMB-JFA

NOTICE OF RELATED CASE

Federal Defendants, through undersigned counsel, respectfully submit this notice to inform the Court of a related case, *Toure v. Hott*, Civ. No. 1:20-cv-395, which counsels having the instant case proceed before Judge O’Grady who is presiding over *Toure*. In this action, Plaintiffs seek a preliminary injunction challenging the conditions of confinement at the Farmville Detention Center (“ICA Farmville”) in light of COVID-19 and asserting that Defendants “have violated Plaintiffs’ right to Due Process.” ECF No. 1 ¶¶ 1, 7. These claims are familiar in this District and indeed in this Court.

The *Toure* litigation concerned the same substantive due process claims on behalf of petitioners-plaintiffs challenging the conditions of confinement at ICA Farmville. More recently, in *Lizama Gutierrez v. Hott*, Civ. No. 1:20-cv-712, petitioners-plaintiffs—represented by some of the same counsel as both *Toure* and the instant suit—brought conditions of confinement claims again relating to ICA Farmville. This Court severed and reassigned to Judge O’Grady petitioners-plaintiffs’ conditions of confinement claims given the related, pending claims in *Toure*. The Court also directed the petitioners-plaintiffs to “list *Toure* as a related case” if they wished to refile their

claims as a stand-alone civil action.¹ See *Lizama Gutierrez v. Hott*, Civ. No. 1:20-cv-712, Dkt. 31 (E.D. Va. July 16, 2020).

Because this action is related to *Toure* for the same reasons as *Lizama-Gutierrez*, but Plaintiffs did not identify the relationship on their cover sheet, Federal Defendants respectfully inform the Court that the matters are related.

Dated: July 24, 2020

Respectfully submitted,

G. ZACHARY TERWILLIGER
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¹ While Plaintiffs were not parties to the prior lawsuits, Plaintiffs Bolanos Hernandez and Perez Garcia both filed declarations regarding the conditions at ICA Farmville in support of petitioners-plaintiffs' reply in *Lizama Gutierrez*. See *Lizama Gutierrez v. Hott*, Civ. No. 1:20-cv-712, Dkts 20-6, 20-7 (E.D. Va. July 13, 2020) (Declarations of Santos Salvador Bolanos Hernandez and Gerson Amilcar Perez Garcia). Conversely, Plaintiffs' own Complaint attaches declarations from the current litigants in *Toure* and *Lizama Gutierrez*. See ECF No. 1-11 (declaration of *Lizama Gutierrez* petitioner-plaintiff Victor Quintanilla Gallegos) & 1-12 (declaration of *Toure* petitioner-plaintiff Francois Toure).